REMARKS

Claims 1-19 are amended herein. Claims 1-19 remain pending in the application.

In the Drawings

Figs. 1 was objected to for allegedly mislabeling amplifier 156 and Fig. 3 was objected to for allegedly missing block 206.

A proposed drawing correction is attached hereto to Figs. 1 and 3.

Approval of the proposed corrections and withdrawal of the objections are respectfully requested.

Claims 1, 2, 5, 6, 8-10 and 15 over Sacca

In the Office Action, claims 1, 2, 5, 6, 8-10 and 15 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Sacca, U.S. Patent No. 5,692,042 ("Sacca"). The Applicants respectfully traverse the rejection.

Claims 1, 2, 5, 6, 8 and 9 recite, *inter alia,* a record module for recording a voice of a far end user and a microphone signal, and a message playback signal is combined with the microphone signal for transmission over a telephone line. Claims 10 and 15 recite, inter alia, transmitting a combined microphone signal and playback signal to a far end party over a telephone line and recording a microphone signal and a voice of a far end user.

Sacca appears to teach a speakerphone which employs non-linear amplifiers to compress transmit and receive signal (Abstract). Level detectors determine levels of the compressed transmit and receive signal (Sacca, Abstract). Selector switches permit the connection of a combined source signal and a signal from a handset microphone for transmission to a telephone line (Sacca, col. 8, lines 39-43). The combined source signal carries one or more alternate signal sources, e.g., tape playback, tones, synthesized speech, etc. for transmission over the telephone line (Sacca, col. 8, lines 43-49)

Sacca teaches combining a microphone signal from a handset with at least one of a tape playback, tones and synthesized speech. Sacca fails to teach the ability to record a microphone signal and a voice of a far end user, in

conjunction with transmitting a combined microphone signal with a playback signal, as claimed by claims 1, 2, 5, 6, 8-10 and 15.

Accordingly, for at least all the above reasons, claims 1, 2, 5, 6, 8-10 and 15 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 3, 4, 11-14 and 16-19 over Sacca in view of Li

In the Office Action, claims 3, 4, 11-14 and 16-19 were rejected under 35 U.S.C. §102(e) as allegedly being obvious over Sacca in view of Li, U.S. Patent No. 5,612,996 ("Li"). The Applicants respectfully traverse the rejection.

Claims 3, 4, 11-14 and 16-19 are dependent on claims 1, 10 and 15 respectively, and are allowable for at least the same reasons as claims 1, 10 and 15.

Claims 3 and 4 recite, *inter alia,* a record module for recording a voice of a far end user and a microphone signal, and a message playback signal is combined with the microphone signal for transmission over a telephone line. Claims 11-14 and 16-19 recite, inter alia, transmitting a combined microphone signal and playback signal to a far end party over a telephone line and recording a microphone signal and a voice of a far end user.

As discussed above, Sacca fails to teach the ability to record a microphone signal and a voice of a far end user, in conjunction with transmitting a combined microphone signal with a playback signal, as claimed by claims 3, 4, 11-14 and 16-19.

The Office Action relies on Li to allegedly make up for the deficiencies in Sacca to arrive at the claimed invention. The Applicants respectfully disagree.

Li appears to teach a loop gain processing scheme for a speakerphone (Abstract). A system loop gain is determined according to two echo feedback paths within the speakerphone system (Li, Abstract). Li teaches the prior art had used a gain module comprised of an automatic gain control in

conjunction with a receive channel gain adjustment (Li, Fig. 1; col. 3, lines 44-52).

Li teaches gain control for a speakerphone. Li fails to teach transmitting a combined microphone signal with a playback signal, much less teach the ability to record a microphone signal and a voice of a far end user, in conjunction with transmitting a combined microphone signal with a playback signal, as claimed by claims 3, 4, 11-14 and 16-19.

Accordingly, for at least all the above reasons, claims 3, 4, 11-14 and 16-19 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claim 7 over Sacca in view of Knuth and Li

In the Office Action, claims 3, 4, 11-14 and 16-19 were rejected under 35 U.S.C. §102(e) as allegedly being obvious over Sacca in view of Knuth et al., U.S. Patent No. 5,768,349 ("Knuth"), and further in view of Li, U.S. Patent No. 5,646,990 ("Li2"). The Applicants respectfully traverse the rejection.

Claim 7 is dependent on claim 1, and is allowable for at least the same reasons as claim 1.

Claim 7 recites, *inter alia,* a record module for recording a voice of a far end user and a microphone signal, and a message playback signal is combined with the microphone signal for transmission over a telephone line.

As discussed above, Sacca fails to teach the ability to record a microphone signal and a voice of a far end user, in conjunction with transmitting a combined microphone signal with a playback signal, as claimed by claim 7.

The Office Action relies on Knuth and Li2 to allegedly make up for the deficiencies in Sacca to arrive at the claimed invention. The Applicants respectfully disagree.

Knuth appears to teach a digital telephone answering device that allows messages to be forwarded to certain internal mailboxes (Abstract). Messages can be moved or re-assigned from a common message area to a certain mailbox or mailboxes (Knuth, Abstract). The telephone answering device includes speakerphone capability (Knuth, col. 8, lines 44-55).

Li2 appears to teach a system and method for eliminating howling due to sudden changes in the acoustic echo path between a speakerphone microphone and a loudspeaker (Abstract). An automatic gain control module and a scale factor is located before a D/A converter (Li2, Fig. 2).

Knuth and Li2 teach automatic gain control for a speakerphone. Knuth and Li, fail to disclose, teach or suggest a record module for recording a voice of a far end user and a microphone signal, and a message playback signal is combined with the microphone signal for transmission over a telephone line, as claimed by claim 7.

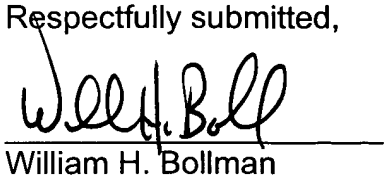
Neither Sacca, Knuth nor Li2, either alone or in combination, disclose, teach or suggest a record module for recording a voice of a far end user and a microphone signal, and a message playback signal is combined with the microphone signal for transmission over a telephone line, as claimed by claim 7.

Accordingly, for at least all the above reasons, claim 7 is patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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Version with Markings to Show Changes Made

1. (Amended) A [transmit path of a] voice messaging system with speakerphone capability, comprising:

a microphone signal;

a gain module;

a message playback signal relating to a pre-recorded voice message; [and]

a summer in said transmit path; and

a record module for recording a voice of a far end user and said microphone signal;

wherein said message playback signal is combined with said microphone signal for transmission over a telephone line such that [a] said far end user will simultaneously hear said microphone signal and said message playback signal.

2. (Amended) The [transmit path of a] voice messaging system with speakerphone capability according to claim 1, further comprising:

a message gain module between said message playback signal and said summer.

3. (Amended) The [transmit path of a] voice messaging system with speakerphone capability according to claim 2, wherein said message gain module comprises:

an automatic gain control portion; and

a fixed gain portion.

4. (Amended) The [transmit path of a] voice messaging system with speakerphone capability according to claim 1, wherein said gain module comprises:

a automatic gain control portion; and

a fixed gain control portion.

5. (Amended) The [transmit path of a] voice messaging system with speakerphone capability according to claim 1, further comprising:

a switched loss echo suppression module in said transmit path after said gain module.

6. (Amended) The [transmit path of a] voice messaging system with speakerphone capability according to claim 5, wherein:

said message playback signal is combined with said microphone signal at a point in said transmit path after said switched loss echo suppression module.

7. (Amended) The [transmit path of a] voice messaging system with speakerphone capability according to claim 6, further comprising:

a digital to analog converter in said transmit path at a point after said switched loss echo suppression module.

8. (Amended) The [transmit path of a] voice messaging system with speakerphone capability according to claim 1, further comprising:

a transmit voice activity detector in communication with said transmit path, said transmit voice activity detector indicating a transmit condition of said speakerphone.

9. (Amended) The [transmit path of a] voice messaging system with speakerphone capability according to claim 1, wherein:

said voice messaging system is a telephone answering device.

10. (Amended) A method of simultaneously recording and transmitting a microphone signal and a played back pre-recorded voice signal to a far end party over a telephone line using a speakerphone, comprising:

establishing a telephone call;

initiating a transmit function of a speakerphone generating a microphone signal;

playing back a voice message pre-recorded on said speakerphone generating a playback message signal;

combining said microphone signal with said playback message signal; [and]

transmitting said combined microphone signal and playback signal to a far end party over a telephone line; and

recording said microphone signal and a voice of a far end user.

11. (Amended) The method of simultaneously recording and transmitting a microphone signal and a played back pre-recorded voice signal to a far end party over a telephone line using a speakerphone according to claim 10, further comprising:

adjusting a gain of said microphone signal.

12. (Amended) The method of simultaneously recording and transmitting a microphone signal and a played back pre-recorded voice signal to a far end party over a telephone line using a speakerphone according to claim 11, further comprising:

adjusting a gain of said playback message signal.

13. (Amended) The method of simultaneously recording and transmitting a microphone signal and a played back pre-recorded voice signal to a far end party over a telephone line using a speakerphone according to claim 11, wherein:

said adjusting similarly adjusts a gain of both said microphone signal and said playback message signal.

14. (Amended) The method of simultaneously recording and transmitting a microphone signal and a played back pre-recorded voice signal to a far end party over a telephone line using a speakerphone according to claim 11, wherein:

said combining occurs at a point in a transmit path after a gain of said microphone signal is adjusted.

15. (Amended) Apparatus for simultaneously recording and transmitting a microphone signal and a played back pre-recorded voice signal to a far end party over a telephone line using a speakerphone, comprising:

means for establishing a telephone call;

means for initiating a transmit function of a speakerphone generating a microphone signal;

means for playing back a voice message pre-recorded on said speakerphone generating a playback message signal;

means for combining said microphone signal with said playback message signal; [and]

means for transmitting said combined microphone signal and playback signal to a far end party over a telephone line;

means for recording said microphone signal and a voice of a far end user.

16. (Amended) The apparatus for simultaneously recording and transmitting a microphone signal and a played back pre-recorded voice signal to a far end party over a telephone line using a speakerphone according to claim 15, further comprising:

means for adjusting a gain of said microphone signal.

17. (Amended) The apparatus for simultaneously recording and transmitting a microphone signal and a played back pre-recorded voice signal to a far end party over a telephone line using a speakerphone according to claim 15, further comprising:

means for adjusting a gain of said playback message signal.

18. (Amended) The apparatus for simultaneously recording and transmitting a microphone signal and a played back pre-recorded voice signal to a far end party over a telephone line using a speakerphone according to claim 15, wherein:

said means for adjusting similarly adjusts a gain of both said microphone signal and said playback message signal.

19. (Amended) The apparatus for simultaneously recording and transmitting a microphone signal and a played back pre-recorded voice signal to a far end party over a telephone line using a speakerphone according to claim 16, wherein:

said means for combining combines said microphone signal with said playback message signal at a point in a transmit path after said means for adjusting said microphone signal.